

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

JURIDICAL FOUNDATION THE CHEMO-  
SERO-THERAPEUTIC RESEARCH  
INSTITUTE,

Plaintiff,

v.

DAVID J. KAPPOS, Under Secretary of  
Commerce for Intellectual Property and Director  
of the U.S. Patent and Trademark Office

Defendant.

Civil Case No. 09-1383 (RJL)

ORDER

Upon consideration of the parties' Joint Motion to Lift Stay and Remand, it is this

2nd day of February, 2010, hereby

**ORDERED** that the motion is **GRANTED**; it is further

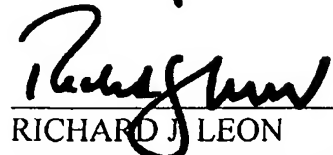
**ORDERED** that the stay is **VACATED**; it is further

**ORDERED** that the existing patent-term calculation is **VACATED**; and it is  
further

**ORDERED** that the case is **REMANDED** to the United States Patent and  
Trademark Office for recalculation and adjustment of the disputed patent term in  
accordance with the decision of the United States Court of Appeals for the Federal Circuit

in *Wyeth & Elan Pharma International, Ltd. v. Kappos*, \_\_\_ F.3d \_\_\_, 2010 WL 27184  
(Fed. Cir. Jan. 7, 2010).

**SO ORDERED.**

  
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RICHARD J. LEON  
United States District Judge